

## DECLARATION

As the below named inventors, we hereby declare: that our residences, post office addresses and citizenship are as stated below next to our names;

We verily believe we are the original, first and joint inventors of the invention entitled: **SURGICAL INSTRUMENT SEAL ASSEMBLY** of which the specification:

- ☒ is attached hereto;
- ☒ which claims the benefit of priority under 35 U.S.C. § 120 to co-pending U.S. Application Serial No. 09/434,608, filed November 15, 1999, which claims the benefit under 35 U.S.C. § 119 to U.S. Provisional Application Serial No. 60/126,356, filed March 26, 1999; and
- ☒ now amended in the attached Preliminary Amendment;

We do not know and do not believe that this invention was ever known or used in the United States of America before our invention or discovery thereof, or patented or described in any printed publication in any country before our invention or discovery thereof, or more than one (1) year prior to the date of this application;

The invention was not in public use or on sale in the United States of America more than one (1) year prior to the date of this application;

This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve (12) months before the date of this application;

We have reviewed and understand to the best of our ability the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above;

We acknowledge the duty to disclose information of which we are aware which is material to the examination of this application in accordance with 37 C.F.R. Section 1.56;

We declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that

